

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
)	Chapter 11
PES HOLDINGS, LLC, <i>et al.</i> , ¹)	
Debtors.)	Case No. 19-11626 (LSS)
)	(Jointly Administered)
)	
PES HOLDINGS, LLC, <i>et al.</i> ,)	
Plaintiffs,)	Adversary Proceeding
-and-)	Case No. 20-50454 (MFW)
)	
ICBC STANDARD BANK PLC,)	
Intervenor-Plaintiff,)	
v.)	
)	
ALLIANZ GLOBAL RISKS US INSURANCE)	
CO., <i>et al.</i> ,)	
)	
Defendants.)	

NOTICE OF AGENDA FOR TRIAL SCHEDULED FOR JANUARY AND FEBRUARY. THE TRIAL SHALL COMMENCE ON JANUARY 24, 25, 26, 27, 28 AND 31, 2022 AT 10:00 A.M. (PREVAILING EASTERN TIME) AND FEBRUARY 2, 3 AND 4, 2022 AT 10:00 A.M. (PREVAILING EASTERN TIME), BEFORE THE HONORABLE MARY F. WALRATH AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, LOCATED AT 824 NORTH MARKET STREET, 5TH FLOOR, COURTROOM NO. 4, WILMINGTON, DELAWARE 19801²

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: PES Holdings, LLC (8157); North Yard GP, LLC (5458); North Yard Logistics, L.P. (5952); PES Administrative Services, LLC (3022); PES Energy Inc. (0661); PES Intermediate, LLC (0074); PES Ultimate Holdings, LLC (6061); and Philadelphia Energy Solutions Refining and Marketing LLC (9574).

² This agenda contains hyperlinks to filed documents pursuant to the Court's Interim Order re: Cessation of Hand Deliveries, dated March 13, 2020. Parties may access the filed documents through the hyperlinks for a fee through the Court's website at www.deb.uscourts.gov, referencing Case No. 19-11626 (LSS), or the documents may be obtained for free by accessing the Debtors' restructuring website at <https://www.omnimgt.com/PESHoldings2019>.

This remote trial will be conducted entirely over Zoom and requires all participants to register in advance. Please register by January 21 at 8:30 a.m. COURTCALL WILL NOT BE USED FOR THIS HEARING.

Please use the following link to register for this hearing:

https://debuscourts.zoomgov.com/meeting/register/vJlscOigqTsjGYyxl6s6dnuC_zlQf2Exd3E

After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing.

TRIAL:

1. Complaint [Filed: 2/12/20] (Adv. Pro. 20-50454, [Docket No. 1](#)).

Response Deadline: March 13, 2020, at 4:00 p.m. (*extended until March 27, 2020*)

Responses Received:

- a. Answer [Filed: 3/27/21] (Adv. Pro. 20-50454, [Docket No. 20](#)).
- b. Answer to ICBCS's Intervenor Complaint [Filed: 5/6/20] (Adv. Pro. 20-50454, [Docket No. 54](#)).

Related Documents:

- a. Summons and Notice of Pre-Trial Conference in an Adversary Proceeding [Filed: 2/12/21] (Adv. Pro. 20-50454, [Docket No. 2](#)).
- b. Stipulation Pursuant to Local Rule 7012-2 Extending Defendants' Time to Respond to Complaint [Filed: 3/4/20] (Adv. Pro. 20-50454, [Docket No. 6](#)).
- c. [Signed] Order Granting ICBC Standard Bank PLC's Motion to Intervene [Filed: 4/6/20] (Adv. Pro. 20-50454, [Docket No. 30](#)).
- d. Intervenor-Complaint [Filed: 4/6/20] (Adv. Pro. 20-50454, [Docket No. 31](#)).
- e. Conditional Demand for Jury Trial [Filed: 4/10/20] (Adv. Pro. 20-50454, [Docket No. 38](#)).
- f. Conditional Demand for Jury Trial [Filed: 5/19/20] (Adv. Pro. 20-50454, [Docket No. 70](#)).
- g. [Signed] Scheduling Order Trial [Filed: 7/6/20] (Adv. Pro. 20-50454, [Docket No.](#)

[95](#)).

- h. [Signed] First Amended Scheduling Order Trial [Filed: 11/17/20] (Adv. Pro. 20-50454, [Docket No. 103](#)).
- i. [Signed] Second Amended Scheduling Order Trial [Filed: 11/17/20] (Adv. Pro. 20-50454, [Docket No. 141](#)).
- j. [Signed] Third Amended Scheduling Order Trial [Filed: 5/11/21] (Adv. Pro. 20-50454, [Docket No. 178](#)).
- k. [Signed] Fourth Amended Scheduling Order [Filed: 8/9/21] (Adv. Pro. 20-50454, [Docket No. 196](#)).
- l. Joint Status Report Regarding Adversary Proceeding [Filed: 11/9/21] (Adv. Pro. 20-50454, [Docket No. 229](#)).
- m. [Signed] Order [Filed: 12/15/21] (Adv. Pro. 20-50454, [Docket No. 280](#)).
- n. [Signed] Order [Filed: 12/15/21] (Adv. Pro. 20-50454, [Docket No. 281](#)).
- o. Joint Pretrial Memorandum Pursuant to Local Rule 716-2(d) [Filed: 12/22/21] (Adv. Pro. No. 20-50454, [Docket No. 294](#)).
- p. Notice of Corrected Appendix 3 to Joint Pretrial Memorandum Pursuant to Local Rule 716-2(d) [Filed: 12/27/21] (Adv. Pro. No. 20-50454, [Docket No. 297](#)).
- q. [Signed] Order Approving Settlement of PES BI Claim [Filed: 1/18/22] (Adv. Pro. No. 20-50454, [Docket No. 318](#)).
- r. [Signed] Order Regarding Motions in Limine [Filed: 1/18/22] (Adv. Pro. No. 20-50454, [Docket No. 319](#)).

Status: A trial will go forward on this matter via Zoom videoconference. Trial is scheduled on January 24, 25, 26, 27, 28, 31, 2022, and February 2, 3 and 4, 2022. Trial will commence at 10:00 a.m. (ET) each day, unless otherwise indicated by the Court.

(Remainder of Page Intentionally Left Blank)

Dated: January 20, 2022

/s/ *Peter J. Keane*

Laura Davis Jones (DE Bar No. 2436)
James E. O'Neill (DE Bar No. 4042)
Peter J. Keane (DE Bar No. 5503)
PACHULSKI STANG ZIEHL & JONES LLP
919 North Market Street, 17th Floor
P.O. Box 8705
Wilmington, Delaware 19899-8705 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400
Email: ljones@pszjlaw.com
joneill@pszjlaw.com
pkeane@pszjlaw.com

- and -

Edward O. Sassower, P.C.
Steven N. Serajeddini (admitted *pro hac vice*)
Matthew C. Fagen (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
Email: edward.sassower@kirkland.com
steven.serajeddini@kirkland.com
matthew.fagen@kirkland.com

Andrew A. Kassof, P.C. (admitted *pro hac vice*)
Nader R. Boulos, P.C. (admitted *pro hac vice*)
Michael B. Slade (admitted *pro hac vice*)
William T. Pruitt (admitted *pro hac vice*)
Whitney L. Becker (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
300 N. LaSalle
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
Email: andrew.kassof@kirkland.com
nader.boulos@kirkland.com
michael.slade@kirkland.com
william.pruitt@kirkland.com
whitney.becker@kirkland.com

Kenneth H. Frenchman (admitted *pro hac vice*)

Robin L. Cohen (admitted *pro hac vice*)

Marc T. Ladd (admitted *pro hac vice*)

Alexander M. Sugzda (admitted *pro hac vice*)

Nicholas R. Maxwell (admitted *pro hac vice*)

Chelsea L. Ireland (admitted *pro hac vice*)

COHEN ZIFFER FRENCHMAN & MCKENNA LLP

1350 Avenue of the Americas, 25th Floor

New York, New York 10019

Phone: (212) 584-1890

Email: kfrenchman@cohenziffer.com

rcohen@cohenziffer.com

mladd@cohenziffer.com

asugzda@cohenziffer.com

nmaxwell@cohenziffer.com

cireland@cohenziffer.com

Counsel for Plaintiffs PES Energy, Inc., PES Holdings LLC, PES Administrative Services, LLC, PES Intermediate, LLC, PES Ultimate Holdings, LLC, and Philadelphia Energy Solutions Refining and Marketing LLC